

**TOWN OF DUDLEY
ANNUAL SPRING TOWN MEETING
MAY 18, 2009**

As instructed in the preceding warrant, legal voters of the Town of Dudley assembled in the Shepherd Hill High School Auditorium on Monday, May 18, 2009. The Town Moderator called the meeting to order at 7:10 p.m. After the Pledge of Allegiance to the Flag, the Town Clerk read the warrant. The following action was taken.

FAA Chairman David Gould addressed the voters regarding the budget for FY '10. He stated that the State had not completed its budget and therefore the town did not know what amount of local aid it would receive. Based on anticipated revenues alone, it was possible that the local aid to Dudley could decline between \$400,000 and \$700,000. Of course these numbers have changed as the legislature discusses and votes on various solutions like the gas tax, sales tax, etc. Unless substantial changes are made to the local aid figures, Dudley will see reductions in staff and changes to the way in which we deliver service. Chairman Gould stated that until we have better numbers the voters should act only on non money articles. He further stated that articles 12, 13, 14, 15, 16, 17, and 20 should be moved to the end of the warrant to be discussed and voted on at a reconvened session in June.

On the recommendation of the Finance Committee, the Moderator stated that he would entertain a motion to fix the time and date in which to return.

Board of Selectmen Chairman, Paul Joseph made a motion that when the voters were finished voting on the non funding articles at the May 18, 2009 meeting, that it not be dissolved and that the voters reconvene on Monday, June 22, 2009 at 7:00 p.m. at Shepherd Hill Regional High School in order to consider the FY '10 funding articles. The motion was seconded and accepted by unanimous vote.

On Monday, June 22, 2009 at 7:10 p.m. the second session of the Annual Town Meeting was called to order by the Town Moderator. After the Pledge of Allegiance to the Flag, the Moderator recognized FAA Chairman David Gould.

Chairman David Gould informed the voters that the House and Senate has passed the budget and forwarded it to the Governor for signature. The State must have a budget by the last day of June. This meant that Dudley did not have any of the numbers contained within that budget for the meeting. He announced that we would pass a budget that night that would be structurally balanced and if numbers came in that were different then what we used that evening, the budget would have to be adjusted at a later meeting. He asked that all the funding articles except the budget be passed over for further information. This meant that those articles could be taken up in November when we would have an idea how our finances were from the FY '09 budget and our monies would be from the State FY '10 budget. The main article that would be voted on at this session would be the budget. We would need to vote on the budget by the end of June. Otherwise we would revert back to 2009 numbers. He informed the voters that we did not need to have a balanced budget that night, but did need to have one prior to the setting of the tax rate later in the year.

The Moderator entertained a motion to pass over for further information articles 13, 14, 15, 16, 17 and 20. The motion was made by Selectman Anthony B. DiDonato Sr. and seconded by FAA member Timothy Bradshaw. The motion was unanimously accepted.

ARTICLE 1: Unanimously accepted to receive the reports of several Town Officers and all Committees. (Action taken 05/18/09)

ARTICLE 2: Unanimously accepted to hear and act on the recommendations of the Board of Selectmen and the Finance & Appropriation Advisory Committee. (Action taken 05/18/09)

The Moderator moved to dispense with the reading the description of land in Article 3. Seeing no objection is was so moved.

ARTICLE 3: Unanimously accepted to authorize the Board of Selectmen to accept a gift of land from the Webster-Dudley Boys & Girls Club, to be held under the care, custody and control of the Board of Selectmen for general municipal purposes, said real property containing 3.34 acres of land, more or less, located on Oxford Avenue and more specifically identified by the following legal description:

DESCRIPTION: A Lot containing 145,305 square feet or 3.34 acres of land, more or less, (perimeter: 2,312.434 feet.) being more fully described as follows:

BEGINNING AT A POINT, said point being on the westerly side of Oxford Ave., thence
S 11° 34' 26" W, 88.61 feet to a point; thence
N 57° 53' 33" W, 115.06 feet to a point; thence
S 31° 56' 38" W, 132.25 feet to a point, thence
S 58° 00' 35" E, 156.42 feet to a point, thence
By a curve to the right with a radius of 775.00 feet a distance of 50.56 feet to a point;
Thence N 58° 00' 31" W, 160.88 feet to a point; thence
S 31° 59' 25" W, 132.00 feet to a point; thence
N 58° 00' 35" W, 132.00 feet to a point; thence
N 31° 59' 25" E, 30.00 feet to a point; thence
N 58° 00' 35" W, 37.00 feet to a point; thence
S 57° 59' 12" W, 180.24 feet to a point; thence
N 58° 00' 35" W, 93.46 feet to a point; thence
N 62° 59' 27" E, 53.32 feet to a point; thence
N 31° 59' 25" E, 423.38 feet to a point; thence
S 26° 16' 54" E, 120.06 feet to a point; thence
N 60° 46' 25" E, 204.53 feet to a point; thence
S 41° 56' 15" E, 202.66 feet to the Point of BEGINNING.
(Action taken 05/18/09)

ARTICLE 4: Unanimously accepted to transfer the sum of Forty One Thousand, Four hundred and Thirty Four Dollars (\$41,434) from the Tax Title Revenue account (# 0001-000-4323-00) to supplement the defrayal of charges and expenses of the Town for Fiscal Year 2009. (Action taken: 05/18/09)

(Note: This transfer is a partial offset for the mid year reduction of
\$ 187,209 in local aid from the Commonwealth for FY 2009.)

Scrivener's error Article 5: this transfer is to be made within the FY '10 budget.

ARTICLE 5: Unanimously accepted to transfer the sum of Twelve Thousand Dollars (\$ 12,000) from the Road Machinery Fund to the Machinery Maintenance account for fiscal year 2010. (Action taken 05/18/09)

ARTICLE 6: Unanimously accepted to transfer the sum of Four Thousand and Sixty Five Dollars (\$4,065) from the “Arrest Warrant Services” account to the police overtime account #0001-210-5131-01 to cover costs incurred during the fiscal year 2009. (Action taken 05/18/09)

ARTICLE 7: Unanimously accepted to transfer to the police overtime account #0001-210-5131-01 a total of Four Thousand Eight Hundred and Seventy Seven Dollars (\$4,877) from the “Firearms Services Revolving Fund” account #0910-000-5780-00 to offset overtime and equipment costs for the fiscal year 2009. (Action taken 05/18/09)

ARTICLE 8: Unanimously accepted to transfer from the MTBE Settlement revenue account (# 0001-000-4999-00) the sum of Fifty Thousand dollars (\$ 50,000) to the Water Department’s “Monitoring Well” account for the engineering, installation and operation of monitoring / detection wells. (Action taken 05/18/09)

ARTICLE 9: Unanimously accepted to transfer from the MTBE Settlement revenue account (# 0001-000-4999-00) the sum of Three Thousand and Seven Hundred Fifty Seven Dollars and Zero Cents (\$ 3,757) to the “Landfill Monitoring” account. (Action taken 05/18/09)

ARTICLE 10: Unanimously accepted to transfer from the MTBE Settlement revenue account (# 0001-000-4999-00) the sum of One Hundred Seventy Two Thousand Dollars (\$ 172,000) to the “MTBE Reserve”. (Action taken 05/18/09)

The Moderator asked for unanimous consent to dispense with the entire reading of Article 11 and to read only the account names and dollar amounts. Seeing no objection it was accepted by unanimous consent.

ARTICLE 11: Unanimously accepted to establish and authorize for the next fiscal year revolving funds established pursuant to the provisions of Chapter 44, §53E ½ of the Massachusetts General Laws for the following purposes:

Genealogical Research Revolving Fund. (Account No. 0911 000 5780 00) for the purpose of accepting receipts from researching genealogical records. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to offset the costs for restoration of Town Clerk records. In no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expense not to exceed three thousand (\$3,000) dollars.

Composting Bins /Rain Buckets. (Account No. 0914 000 5780 00) for the purpose of accepting receipts from the sale of Composting Bin & Rain Buckets. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to offset the costs for Composting Bins/Rain Buckets program. In no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expense not to exceed seven thousand five hundred (\$7,500) dollars.

Police Detail Cruiser Use Revolving Fund. (Account No. 0912 000 5780 00) for the purpose of accepting receipts from the use of police vehicles during private police details. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to offset the costs for purchasing Police vehicles. In no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expense not to exceed fifty thousand (\$50,000) dollars.

Fire Code Violation Fund (Account No. 0913 000 4800 00 & 0913 000 5780 00) for the purpose of accepting fines from fire code & building code violations under Chapter 148A. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant. In no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned Massachusetts General Law Chapter 148A. Total expense not to exceed seven thousand five hundred (\$7,500) dollars.

Gift Shop Revolving Fund for the purpose of accepting receipts from the sale of shirts and other Town of Dudley logo goods. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant. In no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expenses not to exceed \$2,000 (two thousand dollars).

West Main Street Donations / Court of Honor / Veteran's Bricks for the purpose of accepting receipts from the sale of memorial bricks and gifts. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant. In no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expenses not to exceed \$6,000 (six thousand dollars).

Web Site Fees for the purpose of accepting receipts from the sale of advertising on the Town of Dudley's website. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant. In no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expenses not to exceed \$3,000 (three thousand dollars).

Arrest Warrant Services for the purposes of accepting proceeds from warrant service recall fees from the appropriate Massachusetts Court. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to off set costs associated with investigation, apprehension, processing, holding and transportation of warrant service arrestees, but in no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expenses not to exceed \$5,000 (five thousand dollars).

Firearms Permit Services for the purposes of accepting fees associated with the issuance of firearm identification cards, licenses to carry firearms, or other similar licenses. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to offset costs associated with the processing of permits, purchase of equipment necessary to carry out this function, but in no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expenses not to exceed \$5,000 (five thousand dollars).

Fire Outside Detail for the purposes of accepting fees associated with the fire departments personnel working at outside details. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to offset costs associated with providing outside details, purchase of equipment necessary to carry out this function, but in no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expenses not to exceed \$15,000 (fifteen thousand dollars).

Board of Health-Education for the purposes of accepting fees associated with the health departments educational training programs. Said funds to be received by the Town Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to offset costs associated with providing educational training necessary to carry out this function, but in no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expenses not to exceed \$1,000 (one thousand dollars).

Gas Inspector, Fuel Burner Inspector, Plumbing Inspector and Wire Inspector. The funds to be deposited into these separate and respective accounts shall be seventy percent (70%) of the fees charged for the separate and respective Inspectors' services. The separate and respective Inspectors shall authorize all expenditures of funds from these accounts, without further appropriation, provided that the amount to be expended in the fiscal year 2009 shall not exceed \$20,000 per revolving account established unless, such additional amounts are recommended by both the Board of Selectmen and Finance Appropriation Advisory Committee. Funds to be used for inspectors' salaries and expenses.

Spay & Neuter Program for the purposes of accepting fees associated with the spay & neuter program. Said funds to be received by the Town Clerk and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to offset costs associated with providing the spay & neuter to carry out this function, but in no case shall disbursements exceed the lesser of the sums received during the year or the amount allowed under the provisions of the aforementioned General Law. Total expenses not to exceed \$5,000 (Five Thousand dollars).

(Action taken 05/18/09)

FAA Chairman David Gould made a motion to accept the budget and the source of funding as read; the motion was seconded.

ARTICLE 12: As declared by the Moderator, the FY'10 budget and the source of funding were accepted by majority vote. (Action taken 06/22/09)

DEPARTMENT	FY 2010 EXPENDITURES
GENERAL GOVERNMENT	
Accountant, Town	53,358
Board of Assessors	79,140
Building & Grounds	129,521
Inspector of Buildings	48,214
Cemetery Commission	665
Clerk, Town	64,517
Collector, Town	83,169
Conservation Commission	6,732
Council on Aging	400
Dog Officer	10,800
Dudley Rail Trail Committee	100
Emergency Management	1,000
Finance Appropriation Advisory Committee	12,851
Fire	695,540
Board of Health	37,401

Highway	575,382
Historical Commission	1,000
Historical District Study Committee	1,850
Informational Technology	10,855
Inspectors	2,850
Library	157,000
Moderator	325
Municipal Expenses	127,551
Parks & Recreation	1,901
Personnel Board	475
Planning Board	49,009
Police	1,194,034
Recycling	14,955
Board of Selectmen	152,160
Town Administrator	81,750
Treasurer	2,626,112
Tree Warden	2,725
Veterans Services	45,833
Zoning Board of Appeals	3,668
Total General Government	6,402,843
EDUCATION	
Dudley-Charlton Regional School District	5,700,153
So. Worcester County Regional Vocation	380,417
Total Education	6,080,570
Total Municipal Government	12,483,413
ENTERPRISE SERVICES	
Sewer Commission	1,217,039
Water Commission	1,064,803
Total Enterprise	2,281,842
ASSESSMENTS	
State Assessments	26,562
Snow/Ice Deficit	51,007
Overlay	120,000
Total Assessments	197,569
Source of Funding:	
Tax Levy FY 10	8,655,083
Free Cash	2,905
Cherry Sheet Aid FY 10	1,878,634

Local Receipts	2,096,435
FEMA	25,832
General Gov. Acct. 0001 968 5839 00	22,093
Total	12,680,982
Less Assessments	197,569
Total Funding	12,483,413

ARTICLE 13: Passed Over for Further Information by unanimous vote to raise and appropriate, borrow or transfer from available funds a sum of Twenty Three Thousand Dollars (\$23,000) to fund one third (1/3) of the cost of triennial re-certification of real estate and personal property values for FY2011 as required by the Commonwealth's Department of Revenue. (Action taken 06/22/09)

ARTICLE 14: Passed Over for Further Information by unanimous vote to raise and appropriate, borrow or transfer from available funds a sum of Thirty Five Thousand Dollars (\$ 35,000) to purchase and install new gas / diesel pumps and related work at the Town's refueling station at the Town's Highway Department facility. (Action taken 06/22/09)

ARTICLE 15: Passed Over for Further Information by unanimous vote to raise and appropriate, borrow, or transfer from available funds the sum of One Hundred Seventy Nine Thousand Seven Hundred and Thirty Two dollars (\$ 179,732) for the purchase of a Class One Type Three Emergency Response Ambulance, to include replacement stretcher and radios. (Action taken 06/22/09)

ARTICLE 16: Passed Over for Further Information by unanimous vote to appropriate, raise, borrow or transfer the sum of \$2,000.00 (Two Thousand Dollars) annually for weed control treatments in Hayden Pond. Annually fund to be spent will be authorized by the Board of Selectmen per recommendations of the Hayden Pond Association. (Action taken 06/22/09)

ARTICLE 17: Passed Over for Further Information by unanimous vote to appropriate, raise, borrow or transfer the sum of One Thousand Five Hundred Dollars (\$ 1,500) for Archival Restoration. (Action taken 06/22/09)

ARTICLE 18: Unanimously accepted to transfer from the sum of \$ 219,459 Tax Title Revenue Account (# 0001-000-4323-00) to the "General Government" account under the joint direction of the Board of Selectmen and Finance Appropriation Advisory committee for the use of municipal expenditures. (Action taken 05/18/09)

ARTICLE 19: Unanimously accepted to accept the provisions of Massachusetts General Laws Chapter 40, Section 22F Licenses Fees; Service Charges; and further to amend the Town of Dudley Bylaw by adding to Article XXIX Fees, Section 2 and to reformat Article XXIX as follows.

Article XXIX FEES

Section 1: In accordance with M.G.L. Chapter 40, Section 21 (13), all town officers shall pay into the town treasury all fees received by them by virtue of their office.

Section 2: Any municipal board or officer empowered to issue a license, permit certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix reasonable fees for all such licenses, permits certificates pursuant to statute or regulation wherein the entire proceeds of the fee remain with such issuing city or town, and may fix reasonable charges to be

paid for a service rendered or worked performed by the city or town or any department thereof, for any person or class of persons; provided, however, that in case of a board or officer appointed by an elected board the fixing of fees shall be subject to the review and approval of such elected board.

A fee or charge imposed pursuant to this section shall supercede fees or charges already in effect, or any limitations on amounts placed thereon for the same service, work, license, permit or certificate; provided, however, that this section shall not supercede the provisions of section 31 to 77, inclusive, of chapter 6A, chapter 80, chapter 138, section 121 to 131N, inclusive, of chapter 140 or section 10A of chapter 148. The provisions of this section shall not apply to any certificate, service, or work required by chapter fifty-six, inclusive, or by chapter sixty-six. The fee or charge being collected immediately prior to acceptance of this section for any license, permit, certificate, service or work will be utilized until a new fee or charge is fixed under this section.

The provisions of this section may be accepted in a city by a vote of the city council, with approval of the Mayor if so required by law, and in a town by vote of the town meeting, or by vote of the town council in towns with no town meeting. (Action taken on 05/18/09)

(Note, FYI: chapter 6A is Rate Setting Commission
chapter 80 is Betterments
chapter 138 is Alcoholic Liquors
chapter 140 is Common Victuallers
chapter 148 is Fire Prevention
chapter 56 & 66 are Elections & Public Records)

Article 20: Passed Over for Further Information by unanimous vote to authorize Ten Percent (10%) of all ambulance & EMS fees collected be appropriated to the "Ambulance Reserve" account for the purchase of ambulance and associated equipment beginning 7/1/2009. (Action taken on 06/22/09)

ARTICLE 21: Unanimously accepted to amend The Town of Dudley By-law Article XXVII Dog Control By-Law as follows:

Amend Section 1. Definitions, paragraph D. 'Commercial Kennel' by deleting the existing definition and replacing it with the following: "One pack or collection of dogs maintained on a single premise, whether maintained for breeding, boarding, training, adoption or sale."

Amend Section 1. Definitions, paragraph E. Residential Kennel by inserting "kept for the sole purpose of being household pets" after the phrase "six (6) months of age".

Amend Section 3. License Requirements, Fees, Exceptions, paragraph B. by deleting the words "and commercial."

Amend Section 3. License Requirements, Fees, Exceptions, paragraph G. by deleting "(in excess of 10 dogs) Sixty (\$60.00) Dollars, (5 to 10 dogs) Fifty (\$50.00) Dollars, (1 to 4 dogs) Forty (\$40.00) Dollars" and replacing it with "Seventy-five (\$75.00) Dollars".

Amend Section 3. License Requirements, Fees, Exceptions, paragraph J. by increasing the April 1st late fee for Commercial Kennels from \$25.00 to Fifty (\$50.00) Dollars and further amending this section after the words "June 15th in any year shall be subject to a fine of Twenty-five (\$25.00) Dollars per dog in addition to the license fee upon the complaint of the dog officer or Town Clerk." add the following sentence: "Any person maintaining a Commercial Kennel who fails to license by June 15th in any year shall be subject to a fine of Seventy-five (\$75.00) Dollars upon the complaint of the dog officer or Town Clerk." (Action taken on 05/18/09)

ARTICLE 22: Unanimously accepted to amend The Town of Dudley By-law Article IX Highway Commissioners By-law by deleting section 4 in its entirety, as follows:

~~**Section 4.** The Highway Commissioners shall appoint a Street Name Committee to be comprised of three members who shall include one Commissioner, one Planning Board member and one Historical Commission member, each to serve for a term of three years. The Street Name Committee shall be responsible for maintaining a list of proposed street names which list shall include names forwarded to the Committee by the Street Name Study Committee. All new names for the streets in the Town of Dudley are to be selected from a list of names provided by the Street Name Committee to the Planning Board.~~

And further, replacing it with the following language:

Section 4. The Highway Commissioners shall be responsible for approving all proposed street names in the Town of Dudley. The naming of any street shall be approved by the Highway Commissioners prior to an approval of a sub-division or the issuance of a house number.
(Action taken on 05/18/09)

Scrivener's error in Article 23: Should be Article XI Licenses & Permits.

ARTICLE 23. Unanimously accepted to amend Article XI Licenses & Permits, section 4 (b) by striking the words " Ten (10)" and replacing with the words " Sixty (60)" so the section reads as follows

- b) The licensing authorities may grant a license for automatic amusement devices which are used for games of skill or amusement only. The licensing authority shall not issue more than ~~ten (10)~~ Sixty (60) automatic amusement device licenses to any one establishment nor to any one location in town. Automatic amusement device in this section shall mean: Coin operated pool tables, shuffle alley machines, coin operated kiddie rides, video games or any other device which does not offer free plays or money paid out to winners. The annual fee for each automatic device or for any renewal thereof, shall be twenty dollars (\$20.00). The fee for any change of premises shall be two dollars (\$2.00). Any violation of any of the provisions of this section shall for each and every offense forfeit and pay penalty of not more than twenty dollars (\$20.00) to the use of the town. (Action taken on 05/18/09)

{Note: words to be deleted shall have a line strike through (i.e. ~~with~~) and words to be added underlined (i.e. with)}

ARTICLE 24. Unanimously accepted to amend Article XXII Intoxicating beverages on Town Owned Property, by adding s new "Section 2 Public Consumption Of Marijuana or Tetrahydrocannabinol" as follows:

No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, § 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of

the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.

This by-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40, § 21, or by non-criminal disposition pursuant to G.L. c. 40, § 21D, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer. The fine for violation of this by-law shall be three hundred dollars (\$300) for each offense. Any penalty imposed under this by-law shall be in addition to any civil penalty imposed under G.L. c. 94C, § 32L.
(Action taken on 05/18/09)

ARTICLE 25. Unanimously accepted to amend Article VIII Use of Street And Sidewalks, by adding a new "Section 8 Traffic Control" as follows:

Section 8. Traffic Control. The Chief of Police possesses the discretion to determine the appropriate level of police service as well as the qualifications of persons to perform traffic direction in the Town of Dudley to ensure public safety. Therefore, notwithstanding any regulation to the contrary, the Chief of Police has the discretion to require the presence of a sworn police officer, including but not limited to one employed on a paid detail basis, in all instances where there is a street opening or any work to be done on a public way or at a public function in Town. The Chief of Police has the further discretion to determine the number and ranks of officers assigned in any such instance necessary to maintain public safety or other legitimate interest of the community or department. (Action taken on 05/18/09)

ARTICLE 26. As declared by the Moderator it was accepted by majority vote pursuant to MGL c. 82, s. 21 to accept **Linda Vista Lane** as a public way including road surface, taking, and infrastructure, from the granite bounds set at the edge of Hall Road for a length of Five Hundred Forty-Four (544.91) feet more or less, with a width of Fifty (50) feet totaling 32,557.66 square feet, more or less, as shown on a plan on file at the Town Clerk's Office entitled "Hall Road Estates" dated 4/12/2000 recorded Worcester Register Deeds Plan Book 758, Plan 110 & Plan 826 Plan 32 and further that the Selectmen be authorized to accept the deed to the Town of the said way. (Action taken on 05/18/09)

Based on the opinion of Town Counsel Gary Bracket, the Moderator ruled Article 27 out of order.

ARTICLE 27: Ruled Out of Order to see if the Town will vote pursuant to MGL c. 82, s. 21 to accept **Partridge Hill Road** as a public way including the road surface and the taking, but not the infrastructure installed beneath the road or in the taking, from the end of the acceptance of December 21, 1978 (marked "End of 1977 Layout" on plan "Land in Dudley Mass. Owned By Jean K. Durrschmidt Portion of Land-Deed Recorded Worcester Registry Deeds Book 5363 Page 198 Surveyed by Henry A. Racicot L. S. July 28, 1979" as shown in Plan Book 471 Plan 18) to the end of the cul-de-sac for a distance of 667 feet, more or less, with a width of Forty (40) feet as laid out by the Selectmen, for a total of approximately 38,000 square feet, and further that the Selectmen be authorized to accept the deed to the Town of the said way or take any other action relative thereto. (Action taken on 05/18/09)

May 18, 2009: Selectman Paul Joseph made a motion to adjourn; FAA member Brian McCoy seconded the motion. It was unanimously accepted to adjourn.

Brought to order at 7:10 p.m.

Adjourned at 7:50 p.m.

Voters Present: 115

Action Taken on Articles: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 18, 19, 21, 22, 23, 24, 25, 26, 27

June 22, 2009: Selectman Paul Joseph made a motion to adjourn; the motion was seconded. As declared by the Moderator, it was accepted by majority vote to adjourn.

Brought to order at 7:10 p.m.

Adjourned at 7:35 p.m.

Voters Present: 81

Action Taken on Articles: 12, 13, 14, 15, 16, 17, 20

A True Copy. Attest: _____
Ora E. Finn, Dudley Town Clerk